BORA LASKIN LAW LIBRARY
31761 09233676 7

SOCIAL SCIENCE METHODS OF LEGAL RESEARCH (256F)

PROFESSOR JOHN HAGAN

VOLUME ONE
1984/85

FACULTY OF LAW
UNIVERSITY OF TORONTO

Store

LAW LIBRARY
AUG 2 3 1984
FACULTY OF LAW
UNIVERSITY OF TORONTO

FACULTY OF LAW LIBRARY
UNIVERSITY OF TORONTO

SOCIAL SCIENCE METHODS OF LEGAL RESEARCH (256F)

PROFESSOR JOHN HAGAN

VOLUME ONE
1984/85

FACULTY OF LAW
UNIVERSITY OF TORONTO

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/socialsciencemet01haga_1

[VOLUMES 1 & 2]

SOCIAL SCIENCE METHODS OF LEGAL RESEARCH (256F) PROFESSOR J. HAGAN

TABLE OF CONTENTS

[Volume One]

PART I: SOCIAL SCIENCE & THE LAW PAGE

A. Toward a Social Science of Law

1. "Behavioral Science & The Law" Case Western Reserve Law Review. Vol. 19, 1968, pp. 57-70 (Kaplan). 1

2. "Limitations on the Uses of Behavioral Science in the Law" Case Western Reserve Law Review. Vol. 19, 1968, pp. 71-77 (Hazard). 8

3. "Some Limits on the Application of Social Science Research in the Legal Process" Law & Social Order, pp. 815-848 (Lochner). 12

4. "Evaluation Dissemination and Application of Law and Social Sciences Research" North Carolina Law Review. Vol. 52, 1973-1974, pp. 1033-1089. 46

5. "The Present Situation in Legal Scholarship" (Posner) The Yale Law Journal, Vol. 90, No. 5, April 1981, pp. 1113-1130 75

6. "Inventory and Analysis of Legal Research" Law and Learning: Report to the Social Sciences and Humanities Research Council of Canada by the Consultative Group on Research and Education in Law, pp. 75-84. 93

7. "Academic Research" Law and Learning: Report to the Social Sciences and Humanities Research Council of Canada by the Consultative Group on Research and Education in Law, pp. 87-101. 103

Supplemental (Optional Reading)

1. "American Legal Realism and Empirical Social Science: From the Yale Experience". (Schlegel) Buffalo Law Review Vol. 28, 1979, 459.

2. "American Legal Realism and Empirical Social Science: The Singular Case of Underhill Moore". (Schlegel) Buffalo Law Review Vol. 29, 1980, 195.

B. Introduction to Empirical Methods

1. "The Logic of Sociological Analysis". (Inverarity, Lauderdale, Feld) Law & Society, pp. 17-53. 117

2. Sources and Uses of Social and Economic Data: A Manual for Lawyers

Chapter V (Source Material) 136
Chapter VI 205

3. "Extra-Legal Attributes and Criminal Sentencing" (Hagan Law & Society Review. Vol. 8, No. 3, 1974, pp. 357-383. 281

4. "Multiple Regression in Legal Proceedings" (Fisher) Columbia Law Review, Vol. 80, No. 4, 1980, pp. 702-736 309

5. "Criminal Justice and Native People" Canadian Review of Sociology and Anthropology, Special Issue, 1974, pp. 220-236. 344

6. "The Sentencing of White Collar Offenders in Federal Courts" (Nagel & Hagan) Michigan Law Review, 1982 361

7. "Strategies of Research Design in the Legal Impact Study" (Lempert) Law & Society Review, pp. 111-132. 400

PART II: SOCIAL SCIENCE & COURT PROCEEDINGS

A. Introduction: Uses & Abuses

1. "Social Science and the Court" (Moynihan) The Public Interest, pp. 12-31. 412

2. "Report on the Uses of Social Science in Judicial Decision-Making" (Rosenbaum, Phillips & Henry). 432.

[Volume Two]

3. "Informing the Judicial Mind: An Analysis of Existing & Proposed Means of Appraising Courts of Legislative Facts" (Waicukauski) 527

4. "Cruel and Unusual Punishment: Sociological Jurisprudence and the Canadian Bill of Rights" (Leon) Faculty of Law Review, pp. 222-239.

5. "The Courts and Economic Regulation" (Dewees) Courts and Trials, pp. 119-136. 579

6. "Proof of Facts in Constitutional Cases" (Hogg) University of Toronto Law Journal, Vol. 26, 1976, pp. 386-408. 589

7. "The Use of Extrinsic Evidence and the Anti-Inflation Act Reference." (Buglass) Ottawa Law Review, Vol. 9, 1977, pp. 183-191 612

B. Statistical Data & Real Cases

1. Regina v. Prairie Schooner News Ltd. and Powers, (1970) 1 C.C.C. (2d) 251. 621

2. Regina v. Times Square Cinema Ltd., (1971) 4 C.C.C. (2d) 229. 642

3. Regina v. Pipeline News, (1971) 5 C.C.C. (2d) 71. 654

4. "Public Opinion Polls and Survey Evidence in Obscenity Cases." (Lamont) Criminal Law Quarterly, Vol. 15, 1973, pp. 135-159. 669

5. "Pornography and the Expert Witness." (Bates) Criminal Law Quarterly, Vol. 20, 1978, pp. 250-264. 682

6. "The Use of Social Science Data In a Change of Venue Application: A Case Study." (Vidmar & Judson) Canadian Bar Review, Vol. 59, 1981, pp. 76-102. 690

7. Maxwell v. Bishop, 398 F.2d, 138 (8th Cir. 1968). 716

8. People v. Collins, 68 Cal. 2d 319. 733

9. "Trial by Mathematics: Precision and Ritual in the Legal Process" (Tribe) Harvard Law Review, Vol. 84, No. 6, 1971, pp. 1329-1393. 744

10. "The Judicial Reception of Multiple Regression Studies in Race and Sex Discrimination Cases" (Finkelstein) Columbia Law Review, Vol. 80, No. 4, 1980, pp. 737-754. 809

11. "Regression and Discrimination: A Case of Lack of Fit," (Hoffman & Quade) Sociological Methods & Research, Vol. 11, 1983, pp. 407-442. 827

12. "Methods of Presenting Scientific Evidence in Court," (Chesler, Kalmuss & Sanders) Sociological Methods & Research, Vol. 11, 1983, pp. 443-468. 845

Supplemental (Optional Reading)

1. "The Continuing Debate Over Mathematics in the Law of Evidence" (Finkelstein, Fairley & Tribe) Harvard Law Review, Vol. 84, 1971, 1801.

2. "A Conversation About Collins" (Fairley & Mosteller) University of Chicago Law Review, Vol. 41, 1974, p. 242.

3. "Beyond the Prima Facie Case in Employment Discrimination Law: Statistical Proof and Rebuttal" Harvard Law Review, Vol. 89, 1975, p. 387.

PART III: SOCIAL SCIENCE AND THE STUDY OF THE LEGAL PROFESSION

1. "The Scope and Nature of the Study" (Heinz and Laumann) Chicago Lawyers pp. 3-28 859

2. "The Organization of Lawyers' Work" (Heinz and Laumann) Chicago Lawyers pp. 36-58 873

3. "The Allocation of Status Within Occupations: The Case of the Legal Profession (Erlanger) Social Forces, Vol. 58, 1980, 882 885

4. "The Patterns of Lawyers' Careers" (Heinz and Laumann) Chicago Lawyers pp. 167-208. 896

5. "The Constituencies of 'Notable' Chicago Lawyers" (Heinz and Laumann) Chicago Lawyers pp. 274-315 918